

Exhibit 19



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Transcript of Stephen S. Seeling

Date: September 16, 2019

Case: Russell, et al. -v- Educational Commission for Foreign Medical Graduates

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA
3

4 MONIQUE RUSSELL, JASMINE : CASE NO.
5 RIGGINS, ELSA M. POWELL : 2:18-cv-05629-JW
6 and DESIRE EVANS, :

7 :
8 Plaintiffs :
9 :

10 vs. :
11 :

12 EDUCATIONAL COMMISSION :
13 FOR FOREIGN MEDICAL :
14 GRADUATES, :

15 :
16 Defendants :
17

18 - - -
19 Monday, September 16, 2019
20 - - -

21 Deposition of STEPHEN S. SEELING was taken
22 pursuant to notice at 1701 Market Street, Philadelphia,
23 Pennsylvania, before Nancy Carides, RPR, CRR and Notary
24 Public, on the above date, and commencing at 12:00 p.m.
25

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1 THE WITNESS: I had no expectations.

2 BY MR. CERYES:

3 Q. What was your role as Vice President of
4 Operations of ECFMG?

5 MS. McENROE: Objection to form.

6 THE WITNESS: I oversaw most of the
7 operational programs, including the
8 certification program.

9 BY MR. CERYES:

10 Q. Did you also oversee the ERAS program?

11 A. I did not.

12 Q. Under whose oversight was the ERAS
13 program during the time you were at ECFMG?

14 A. I can't recall.

15 Q. Do you know the name of that position
16 that would be responsible for oversight of the ERAS
17 program?

18 A. I just can't recall.

19 Q. You worked with William Kelly at ECFMG?

20 A. Bill Kelly, yes.

21 Q. And were you responsible for the
22 oversight of Bill Kelly in carrying out the essential
23 functions of his job?

24 A. He reported to me.

25 Q. So, among your job responsibilities

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1 Q. And another program is the ERAS
2 process; is that correct?

3 A. Yes.

4 Q. And with respect to ECFMG
5 certification, the purpose of that program is to
6 assess whether international medical graduates are
7 ready to enter U.S. graduate medical education
8 programs?

9 A. It's to assess the readiness of
10 international medical graduates, yes.

11 Q. And in particular, their readiness to
12 begin a residency program?

13 A. Yes.

14 Q. And it is and has been the case since
15 1990 or so that in order for international medical
16 graduates to enter a residency program, they must be
17 certified by ECFMG?

18 A. As a general rule, that's correct.
19 There are some minor kind of esoteric exceptions, but
20 as a general rule, that's correct.

21 Q. What are those exceptions?

22 A. If someone is a hot-shot surgeon in
23 Timbuktu, and Harvard recruits them for six months to
24 teach a procedure to the residents of Harvard, and
25 Massachusetts has a special VIP license, then that

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1 THE WITNESS: Well, again, this letter
2 speaks for itself. I mean, the first
3 paragraph, I think, is responsive to your
4 question, sir, "with respect to your
5 falsification of an application form submitted
6 to ECFMG."

7 BY MR. CERYES:

8 Q. Okay. So, to your understanding, what
9 happened here is that Igberase made a false response
10 on one of his applications, and the remedy or the
11 consequence that ECFMG provided for Igberase was to
12 revoke and invalidate his ECFMG certificate, correct?

13 A. That's what this letter of December
14 7th, 1995 seems to indicate.

15 Q. So, when you were employed with ECFMG
16 as Vice President of Operations, was it also your
17 understanding that when an applicant makes a false
18 statement on an application, that one of the potential
19 outcomes of that could be revocation or invalidation
20 of that individual's certificate?

21 A. That's a potential consequence, a
22 potential sanction for any instance of irregular
23 behavior.

24 Q. Why is it that making a false statement
25 on an application for ECFMG certification can be

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1 snapshot, things can change subsequent to, but I just
2 don't have a recollection whether or not there were
3 other cases where a charge letter was issued and then
4 subsequently a re-evaluation took place. I know that
5 was always built into the process. I just don't
6 remember whether or not that, in fact, happened.

7 Q. And you refer to the process. This is
8 not a written process, correct?

9 A. Well, I mean, there were procedures set
10 forth in the documents relating to the credentials
11 committee in terms of the process of the hearing and
12 that kind of thing. Again, at some point, I can't
13 recall, but sometime after I came onboard, those
14 procedures were substantially revised. So, there were
15 documents that pertained, generally, to the scope and
16 purview and authority of the credentials committee.

17 Q. If, in fact, you believed that Akoda
18 and Igberase were, in fact, one and the same person,
19 you would agree that in that circumstance that would
20 warrant referral to the Committee on Medical Education
21 Credentials?

22 MS. MCENROE: Objection to form.

23 THE WITNESS: Probably, yes.

24 BY MR. CERYES:

25 Q. And why is that?